(R-2022-357)

RESOLUTION NUMBER R- 314072

DATE OF FINAL PASSAGE MAY 03 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN EXCELENCIA, LLC AND THE CITY OF SAN DIEGO

WHEREAS, on June 5, 2020, EXCELENCIA, LLC filed a claim against the City of San Diego [City] alleging property damage and lost business income arising from a break in the City's water main at 9682 Via Excelencia; and

WHEREAS, in Closed Session on March 1, 2022, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8 and 9; Nays, None; approved the Settlement for an amount consistent with the amounts set forth below.

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$55,889.63 from Water Fund No. 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the claim for property damage and lost business income filed by Excelencia, LLC.

2. Authorizes the Department of Fina	ance to expend \$55,889.63 from Water Fund
No. 700011, for the purpose of settling this claim	ı .
APPROVED: MARA W. ELLIOTT, City Attorn	ney
By /s/ Blair B. McGregor Blair B. McGregor Deputy City Attorney	
BBM:tr March 15, 2022 Or.Dept: City Attorney CC No. 3000014725	
I certify that the foregoing Resolution was passe meeting ofAPR 1 9 2022	d by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk By Deputy City Clerk
Approved: 5/3/22 (date)	TODD LODA, Mayor
Vetoed:	TODD GLORIA, Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

			CERTIFICATE OF UNALLOTTED BALANCE				ICE	ORIGINATING DEPT	
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Doc.					CCOUNTING DATA	Business			
Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Area	Cost Center	WBS	Original Amount
	. 140								<u> </u>
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Passed by the Council of The C	ity of San Dieg	go onA	PR 1 9 2022	_, by the following vote:
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Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava				
Jennifer Campbell	\mathbf{Z}			
Stephen Whitburn	\mathbf{Z}			
Monica Montgomery S	teppe 🗹			
Marni von Wilpert	\mathbf{Z}			
Chris Cate				
Raul A. Campillo				
Vivian Moreno				
Sean Elo-Rivera	\mathbb{Z}			
Date of final passageMA (Please note: When a resolution date the approved resolution	ution is appro	ved by the M ed to the Offi	ce of the City Cl	erk.)
AUTHENTICATED BY:		— May		D GLORIA San Diego, California.
Aomento			ELIZABETH S	
(Seal)		City Cl	erk of The City of	San Diego, California.
		Ву С	<i>M.</i> .	, Deputy
		Office of th	e City Clerk, San	Diego, California
	Res	solution Numb	3 <u>1</u>	4072